

February 19, 2010

**VIA ECFS**

Ms. Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Suite TW-A325  
Washington, DC 20554

Re: Annual CPNI Certification of Tata Communications Services (America) Inc.,  
EB Docket 06-36

Dear Ms. Dortch:

Enclosed please find the annual CPNI certification of Tata Communications Services (America) Inc. If you have questions, please feel free to contact me at (703) 657-8412 or [jeffrey.marks@tatacommunications.com](mailto:jeffrey.marks@tatacommunications.com).

Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey A. Marks', written in a cursive style.

Jeffrey A. Marks

Attachment

cc: Best Copy and Printing

**Tata Communications Services (America) Inc.**  
**Annual 47 C.F.R. § 64.2009(e) CPNI Certification**

**EB Docket 06-36**

Annual § 64.2009(e) CPNI Certification for 2009

Date filed: February 19, 2010

Name of company covered by this certification: Tata Communications Services (America) Inc.

Form 499 Filer ID: 825226

Name of Signatory: David Ryan

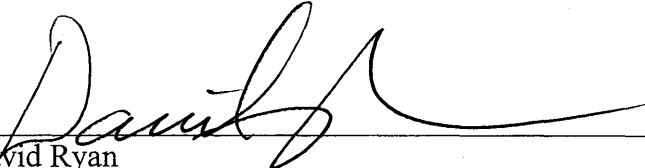
Title of signatory: Executive Vice President

I, David Ryan, certify that I am an officer of the company named above ("TCSA"), and acting as an agent of TCSA, that I have personal knowledge that TCSA has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

TCSA has not taken any actions (proceedings instituted or petitions filed by a company at state commissions, the court system, or at the Commission) against data brokers in the past year. TCSA has no information that is not already publicly available regarding the processes pretexters are using to attempt to access CPNI. TCSA's CPNI practices and procedures ensure compliance with the FCC's modified CPNI rules.

TCSA has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

  
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David Ryan  
Executive Vice President

February 19, 2010

**Tata Communications Services (America) Inc.**  
**Annual 47 C.F.R. § 64.2009(e) CPNI Certification**

**EB Docket 06-36**

Tata Communications Services (America) Inc. ("TCSA") is committed to protecting the privacy of its customers. To accomplish this, TCSA has implemented a comprehensive Privacy Policy that governs all information collected by or submitted to TCSA. TCSA's customer contracts contain confidentiality requirements regarding the treatment of customer information, including CPNI, and TCSA employees are prohibited from disclosing such information. TCSA has entered into a National Security Agreement with the Department of Justice, including the Federal Bureau of Investigation, the Department of Homeland Security and the Department of Defense, that includes a provision requiring TCSA to comply with the FCC's CPNI rules.

TCSA serves wholesale carriers and large enterprise customers and does not actively market its services. TCSA never uses CPNI in outbound marketing campaigns and therefore does not collect opt-in authorizations from customers for such use. When customers have come to TCSA shopping for the best price, TCSA would first sign a nondisclosure agreement with the prospective customer and then market to them using TCSA's price list for telecommunications services. When TCSA has contacted potential customers (*i.e.*, customers that did not contact TCSA first), TCSA identified them through public sources such as industry magazines or trade shows. The only instance in which TCSA may initiate contact with the customer using CPNI is for billing, maintenance and repair purposes, and to inquire about the customer's satisfaction with its existing services.

Furthermore, TCSA does not share, sell, lease or otherwise provide CPNI to any of its affiliates, suppliers, vendors or any other third parties for the purposes of marketing any services. The provision of CPNI to any unrelated third parties is strictly prohibited except for billing purposes, for the provision, maintenance and repair of services, to protect rights or property of TCSA, or pursuant to legal process.

Importantly, TCSA personnel are not permitted to disclose any confidential customer information, including CPNI. All TCSA personnel have certified in writing that they have read and will adhere to the Code of Conduct and Business Ethics ("Code"), which contains strict confidentiality requirements for all customer confidential information, including CPNI, and provides for disciplinary action for violation up to, and including, immediate termination of employment. In fact, as part of an overall program of legal compliance training for TCSA employees, TCSA has instituted a series of mandatory web-based training programs that will test, track and record employee training on a variety of legal compliance matters, including training relating to the Code. Additionally, at the time of hiring, all new personnel must sign an agreement on Confidential Information, Intellectual Property and Exclusivity Undertakings, which includes confidentiality requirements such as maintaining the confidentiality of customer information. TCSA personnel who are authorized to access CPNI are trained in the authorized uses of this information.

TCSA is prepared to comply with applicable breach notification laws in the event of a CPNI breach.